
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Baca Valley Telephone Company, Inc.)	File No. EB-03-DV-390
)	
Owner of Antenna Structure 1059885)	NOV No. 20033280002
Raton, New Mexico)	

NOTICE OF VIOLATION

Released: November 25, 2003

By the District Director, Denver Office, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Baca Valley Telephone Company, Inc. ("Baca Valley").

2. On November 14, 2003, agents of the Commission's Denver Office inspected the antenna structure located at geographic coordinates N36-54-12, W104-27-39. The agents observed the following violation:

47 C.F.R. § 17.4(g): "The Antenna Structure Registration Number must be displayed in a conspicuous place so that it is visible near the base of the antenna structure. Materials used to display the Antenna Structure Registration Number must be weather resistant and of sufficient size to be easily seen at the base of the antenna structure." At the time of the inspection, the tower registration number was not posted.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Baca Valley must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain the violation, must contain a statement of the specific action(s) taken to correct the violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the licensee with personal knowledge of the matter. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 308(b).

Federal Communications Commission

Federal Communications Commission
Denver District Office
215 S. Wadsworth Blvd., Suite 303
Lakewood, CO 80226

4. This Notice shall be sent via Certified Mail No. 7001 0320 0002 9702 9295, Return Receipt Requested, to Baca Valley Telephone Company, Inc., P.O. Box 67, Des Moines, NM 88418-0067.

5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

Nikki P. Shears
Acting District Director
FCC Denver Office

JU/kk

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*